

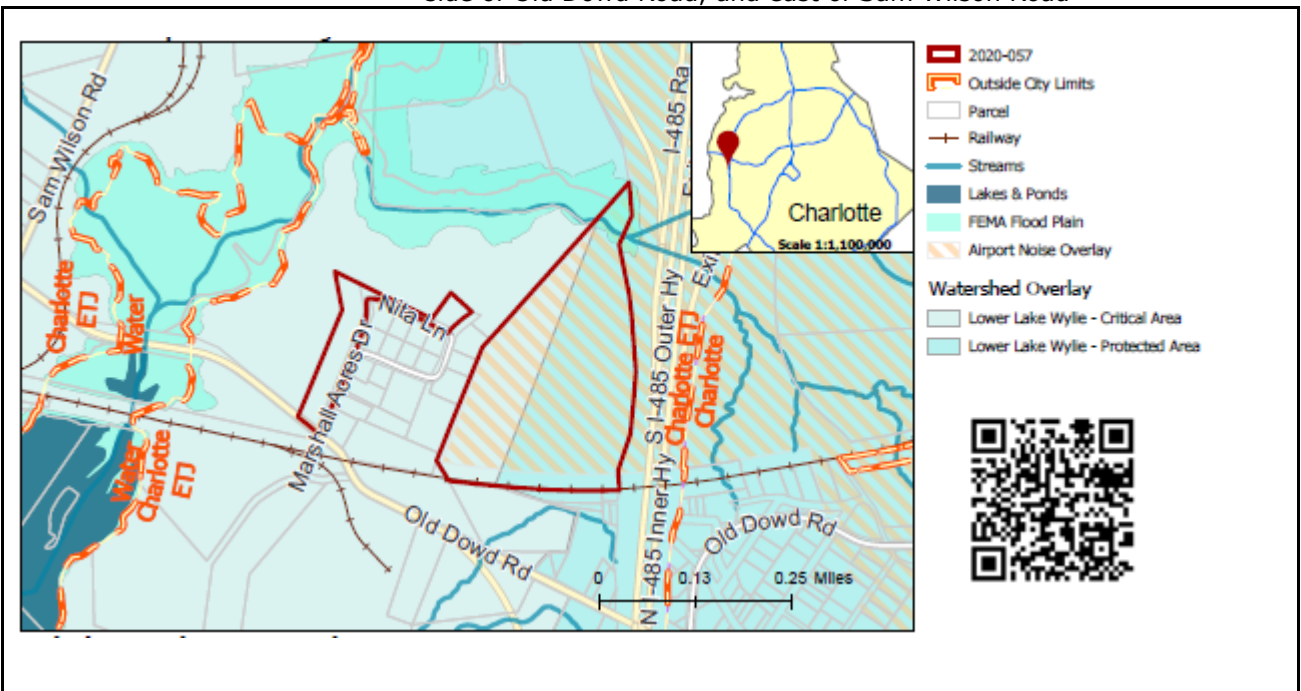
REQUEST

Current Zoning: R-4 LLWPA LLWCA AIR (single family residential, Lower Lake Wylie Protected Area, Lower Lake Wylie Critical Area, Airport Noise Overlay)

Proposed Zoning: I-2(CD) LLWPA LLWCA AIR (general industrial, Lower Lake Wylie Protected Area, Lower Lake Wylie Critical Area, Airport Noise Overlay)

LOCATION

Approximately 44 acres located west of Interstate 485, on the north side of Old Dowd Road, and east of Sam Wilson Road



SUMMARY OF PETITION

The petition proposes to rezone vacant property to I-2(CD) to allow up to 600,000 square feet of industrial uses.

PROPERTY OWNER

William and Elizabeth Bruce, C/O NAI Southern Real Estate

PETITIONER

Lakemont Property Investors, LLC

AGENT/REPRESENTATIVE

Collin Brown and Brittany Lins, Alexander Ricks

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 1

STAFF RECOMMENDATION

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation and environment and technical revisions.

Plan Consistency

The petition is **inconsistent** with the *Dixie Berryhill Strategic Plan's* recommendation for office/retail/light industrial uses.

Rationale for Recommendation

- The proposed conditional site plan limits the most intense heavy industrial uses allowed in the I-2 zoning district.

- Industrial development has been approved recently in the area adjacent to this site. The character of the surrounding area is predominantly industrial.
- The proposed site plan provides adequate buffers with existing residential uses adjacent to the site.
- Running through the site is a heavily used Norfolk Southern railroad line, with a 200 foot right-of-way.

The approval of this petition will revise the adopted future land use as specified by the *Dixie Berryhill Strategic Plan*, from office/retail/light industrial to industrial - heavy use for the site.

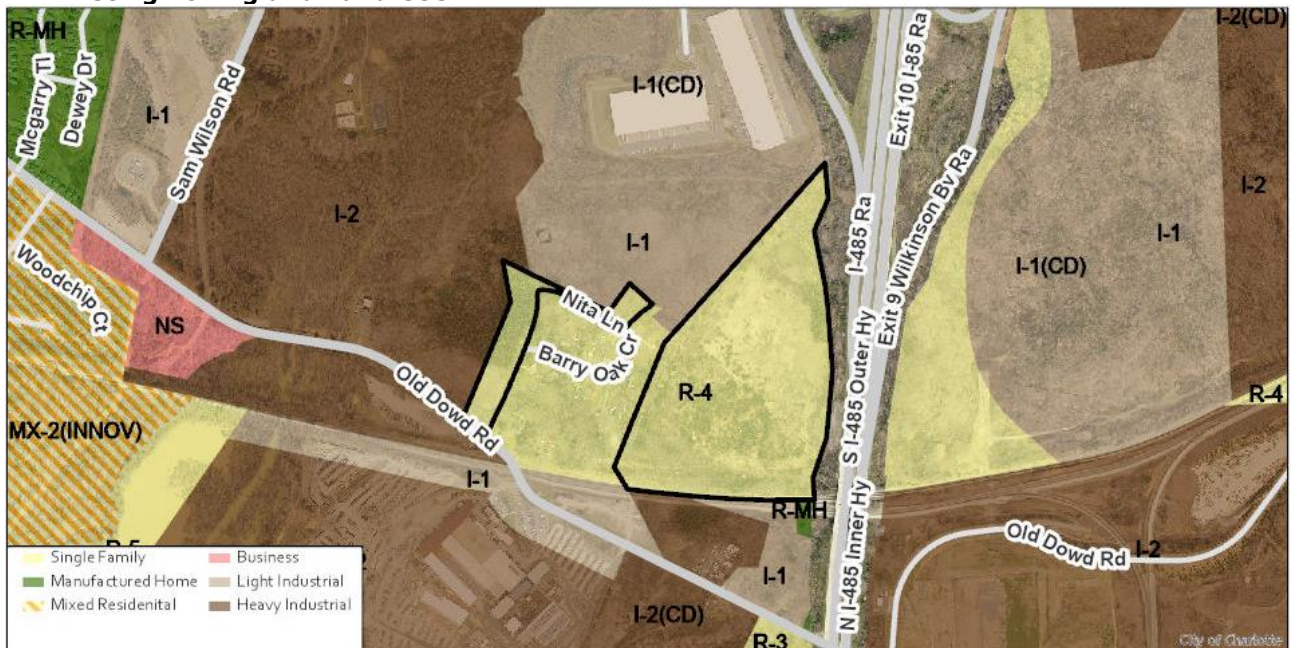
PLANNING STAFF REVIEW

• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Allows up to 600,000 square feet of I-2 industrial uses with the following uses prohibited:
 - Adult establishment
 - Automobile service stations
 - Automotive repair garages
 - Car washes
 - Dry cleaning and laundry establishments
 - Junk yards
 - Petroleum storage facilities
 - Cemeteries
 - Landfills
 - Quarries
 - Raceway and dragstrips
 - Truck stops
 - Truck terminals
- Provides access to the site from Old Dowd Road through other portions of Parcel 113-031-05A not included in this Rezoning Plan.
- Requires Class A buffers along residential property lines.
- Creates standards for building materials to be used which include: glass, brick, stone, simulated stone, pre-cast stone, pre-cast concrete, synthetic stone, stucco, cementitious siding (such as HardiPlank, panel, shingles, or similar products), metal panels, EIFS, cast on site concrete panel or wood. Vinyl as a building material may only be permitted on windows, soffits, and trim.

• Existing Zoning and Land Use



The subject property is undeveloped vacant land. The surrounding land uses include single family residential and industrial uses.



The subject property is undeveloped vacant land. The site is marked with a red star.



The properties to the north are developed with industrial buildings. The subject property is marked with a red star.



The properties to the south are developed with industrial uses.

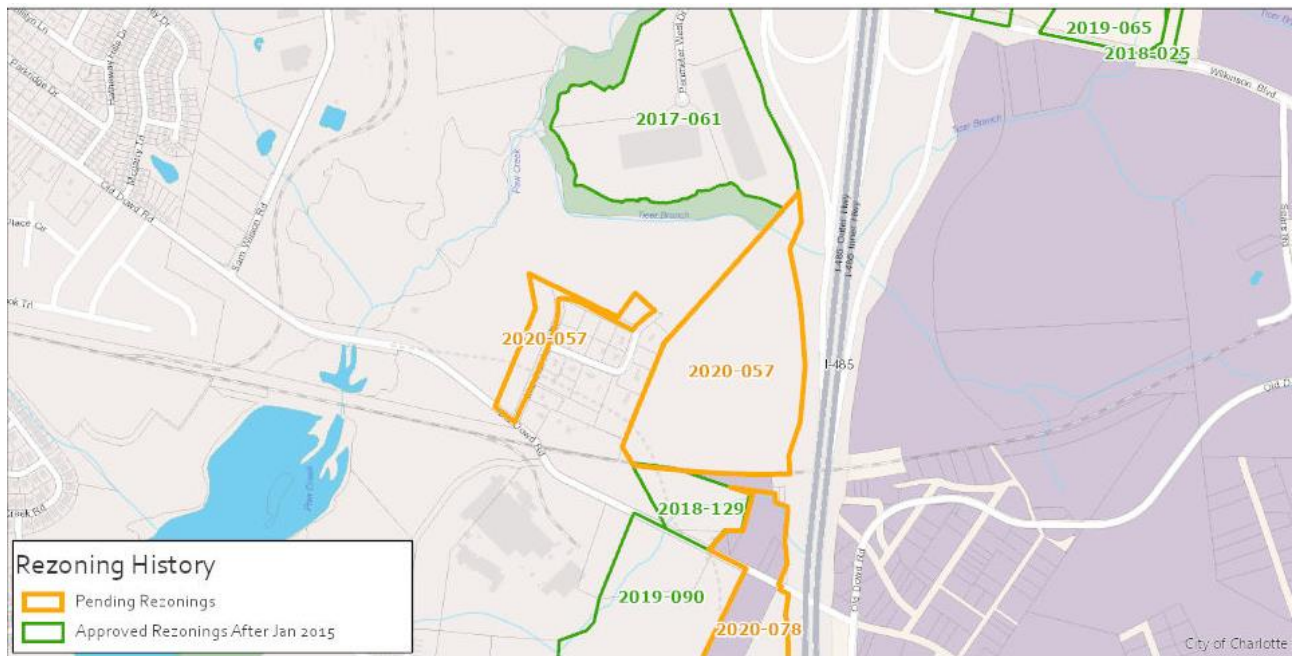


The properties to the west are developed with single family residential houses.



The properties to the east are developed with I-485 and then vacant land. The subject property is marked with a red star.

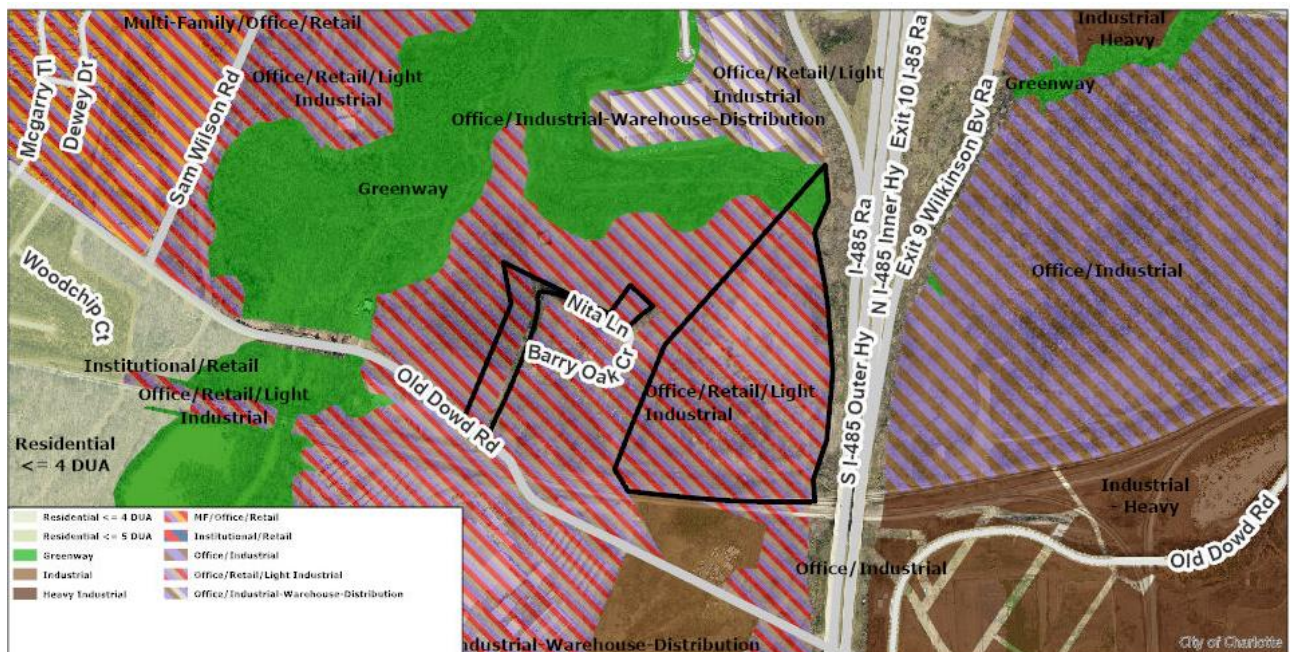
- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-061	The petition rezoned property to I-1(CD) SPA LLWPA (light industrial, conditional, site plan amendment, Lower Lake Wylie Protected Area) to amend the previously approved site plan in order to eliminate a restriction on the amount of permitted warehouse/distribution space.	Approved

2018-025	The petition rezoned property to I-2 (CD) Air LLWPA to allow the construction of warehouse/ distribution, office and other industrial uses.	Approved
2018-129	The petition rezoned property to I-2(CD) LLWCA to allow a concrete manufacturing facility on land currently used as truck parking and repair.	Approved
2019-065	The petition rezoned property to I-2 AIR LLWPA to rezone the site to allow uses permitted in the I-2 zoning district.	Approved
2019-090	The petition rezoned property to I-2(CD) LLWCA to develop the site to allow a contractor office with accessory storage along with other limited I-2 uses including truck terminals.	Approved
2020-078	The petition proposes to rezone property to I-2 AIR LLWPA to rezone the site to allow uses permitted in the I-2 zoning district.	Pending

- **Public Plans and Policies**



- The *Dixie Berryhill Strategic Plan* (adopted 2003) recommends office/retail and light industrial land uses for the site.
- **TRANSPORTATION SUMMARY**
 - The site is located on Old Dowd Road (minor thoroughfare) and is maintained by NCDOT. The petition is in a Corridor and is outside Route 4. The applicable plan for the area is the Dixie Berryhill Strategy Plan.
- **Active Projects:**
 - Old Dowd Road Realignment/Grade Separation (TIP #P-5602JA)
 - Feasibility study about realigning and grade-separating Old Dowd Road as it crosses the Norfolk-Southern Railroad tracks
 - Schedule/Phasing N/A
 - NCDOT project
 - Paw Creek Greenway (mainline follows Paw Creek; overland connector along Old Dowd Dr. to Marshall Dr. at the Airport)
 - Mecklenburg County project
 - Unfunded
- **Transportation Considerations**
 - See Outstanding Issues, Notes 1-7
- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 0 trips per day (based on vacant land).

Entitlement: 1,750 trips per day (based on 176 dwellings).
Proposed Zoning: 945 trips per day (based on 600,000 SF warehouse).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** See advisory comments at www.rezoning.org
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools:** Nonresidential petitions do not impact the number of students generated.
- **Charlotte Water:** No comments submitted.
- **Engineering and Property Management:**
 - **Arborist:** No comments submitted.
 - **Erosion Control:** No outstanding issues.
 - **Land Development:** No outstanding issues.
 - **Storm Water Services:** See Requested Technical Revisions, Note
 - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
- **Mecklenburg County Parks and Recreation Department:** See Outstanding Issues, Note

OUTSTANDING ISSUES

Transportation

1. The petitioner should revise the site plan and conditional note(s) to reserve 120-feet of right-of-way for the Comprehensive Transportation Plan (CTP) future 4-lane grade-separated crossing for the realignment of Old Dowd Road.
2. New comment based on 6/15/20 site plan: The petitioner should revise the site plan and conditional note(s) to show the proposed access(es) to the site. It is not clear if the petitioner is proposing to use Marshall Acres Drive as the access, or if there would be an access parallel to it, or something else entirely. Comment #4 below will still apply to any new access(es) regardless of location.
3. The petitioner should revise the site plan and conditional note(s) to construct right and left-turn lanes at the proposed access on existing Old Dowd Road. An internal 3-lane section should also be designed to accommodate the future realignment of Old Dowd Road.
4. The petitioner should revise the site plan and conditional note(s) to commit to construct an 8-foot minimum planting strip, and 6-foot sidewalk on existing Old Dowd Road per Chapter 19 of the City Code. The site plan should label and dimension both items from the edge-of-pavement/shoulder and road centerline.
5. The petitioner should revise the site plan and conditional note(s) to commit to construct an overland connector along the future Paw Creek Greenway on existing Old Dowd Road to meet the City of Charlotte BIKES Policy and Greenway Master Plan.
6. The petitioner should revise the site plan and conditional note(s) to confirm whether the proposed development will consist of one or two buildings, to determine applicability of the Subdivision Ordinance.
7. The petitioner should revise the site plan to add a note specifying all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes.

Environment

8. MCPR requests the petitioner dedicating and conveying to Mecklenburg County the 100' SWIM Buffers of Tiser Branch and Paw Creek. These creeks are on the MCPR Greenway Master Plan.

REQUESTED TECHNICAL REVISIONS

Site and Building Design

9. Please clearly label the rezoning boundary line along the property line fronting Marshall Acres Drive with the buffers included in the petition.
10. Increase the size of buffer along the residential properties that front Barry Oak Circle.
11. The parking/building area is still pretty large and generalized. Please consider locating the building footprints

12. Under note V., please clarify that 100' Class A is the minimum with reductions in areas shown on the plan.
13. Please add watershed information to proposed zoning under the Site Development Data, it should read "Proposed Zoning: I-2(CD) LLWPA LLWCA AIR (general industrial, Lower Lake Wylie Protected Area, Lower Lake Wylie Critical Area, Airport Noise Overlay)".

Environment

14. The rezoning plan sheet indicates a 100-ft SWIM Buffer on site. Please revise buffer label to read "*100-ft SWIM/Watershed/PCSO Buffer.*"
15. Please include the following note under Environmental Features: Development within the SWIM/PCSO Buffer shall be coordinated with and subject to approval by Charlotte-Mecklenburg Storm Water Services and mitigated if required by City ordinance. Stream Delineation Reports are subject to review and approval by Charlotte Storm Water Services.

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org

Planner: Lisa Arnold (704) 336-5967